

**MINUTES OF THE  
VINEYARD TOWN COUNCIL MEETING  
Vineyard Town Hall, 240 East Gammon Road, Vineyard, Utah  
October 12, 2011**

**PRESENT:**

Mayor Randy Farnworth  
Councilmember Sean Fernandez  
Councilmember Jeff Gillespie  
Councilmember Norm Holdaway

**ABSENT:**

Councilmember Nathan Riley

**Staff Present:** Attorney David Church, Water Operator Sullivan Love, Engineer Don Overson, Town Clerk/Recorder Dan Wright, Deputy Recorder Debra Cullimore

**Others Present:** Ed Grampp and Stewart Park, Anderson Development

The Vineyard Town Council held a Regular Meeting on Wednesday, October 12, 2011, beginning at 7:00 p.m. The invocation was offered by Norm Holdaway.

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**Regular Session – 7:00 p.m.**

**MINUTES REVIEW AND APPROVAL –**

COUNCILMEMBER FERNANDEZ MOVED TO APPROVE THE MINUTES OF THE MEETING OF JUNE 8, 2011 AND JUNE 21, 2011. COUNCILMEMBER HOLDAWAY SECONDED THE MOTION. ALL PRESENT VOTED IN FAVOR. THE MOTION CARRIED UNANIMOUSLY WITH ONE ABSENT.

**PLANNING COMMISSION UPDATE AND RECOMMENDATIONS TO THE COUNCIL** - Planning Commission Liaison Norman Holdaway

No Planning Commission update was given.

**STAFF REPORTS -**

Planner, Jim Carter – Logan Simpson Design – Mr. Simpson was not present at the meeting.

Engineer, Don Overson – JUB Engineers – Mr. Overson reported that work is progressing on the water line project crossing Geneva Road. The project will extend as far as available funding will permit. Three new water connections will be installed in the Town in the near future, which will offset expenses incurred by the Town.

Mr. Overson also noted that PacifiCorp has requested that any concerns the town receives regarding the power plant project be referred to PacifiCorp for follow up.

Mr. Overson also reported that the Town is responsible for installation of a railroad crossing sign on the east side of the railroad tracks at approximately 1600 North in Orem. The sign can be installed on an existing power pole at that location.

Water Operator Technician – Sullivan Love – Mr. Love reported that the paving project on Holdaway Road will be completed on October 19, 2011. He reminded those present that on-street parking will not be permitted during the paving project.

Attorney – David Church – Mr. Church had no items to report.

Utah County Sheriff Department – A representative of the Sheriff's Department was not present at the meeting.

### **BUSINESS ITEMS –**

**Discussion – TIGER Grant Applications.** *This is a discussion regarding preliminary grant applications which have been submitted in behalf of the Town. Pre-applications were submitted for three separate project areas.*

Mayor Farnworth began the discussion noting that Jerry Grover is listed as the contact person for the Town, and that Mr. Grover is not an official representative of Vineyard. He observed that the timing of approval of the pre-application process is unclear, and that completion of the process may require the services of an outside firm, and may come at a high price. He felt that further discussion of the applications may not be appropriate until and unless the pre-application is approved.

Ed Grampp of Anderson Development explained that there was a tight application deadline, and that Mr. Grover was listed as the contact for the Town on a temporary basis and only for the pre-application due to the urgency of meeting the deadline. He clarified that the developer is not eligible to pursue the grant, and that the Town will have to proceed with the application process if the pre-application is approved. He also explained that the deadline for the final application is the end of October, and that the Town should be notified in the near future as to whether the pre-application was passed on for the next round of consideration.

Mr. Grampp went on to explain that for the Town to increase the likelihood of being successful in pursuing the funding, it would be necessary to employ a professional firm as a consultant to coordinate information from the Town and other entities, such as the Utah Department of Transportation (UDOT). Mr. Grampp reviewed the projects included in the pre-application as follows: Mill Road - \$10,000,000; Industrial Spur Relocation – \$16,000,000; Vineyard Connector - \$91,000,000. He reiterated that the pre-application was completed quickly and with available information. He suggested that the Town make a decision regarding moving forward after word is received as to whether the pre-application process was successful.

Stewart Park of Anderson Development explained that without a representative in Washington DC lobbying in behalf of the Town, the Town would not be likely to have the grants awarded. He explained that Anderson Development has contacted the Russ Reid Firm, a firm with offices nationwide, and an office in Washington DC. He asserted that The Russ Reid Firm is well known and well respected, and would represent the interests of the Town.

Councilmember Gillespie requested clarification regarding the timeline to receive notice of approval for the pre-application. Mr. Grampp clarified that notice regarding the pre-application is expected at any time. He observed that if the pre-application is approved, it will be necessary for the Town to determine whether there is an interest in pursuing the application based on anticipated costs for hiring the Russ Reid Firm. Mr. Grampp stated that he had hoped to have a proposal from Russ Reid for review at this meeting, but that the final proposal has not yet been received. He stated that the proposal will be forwarded to the Council as soon as possible, and that a decision regarding moving forward will be necessary prior to the next Regular Town Council meeting.

Attorney David Church observed that the projects included in the pre-application forms are not necessary to the Town, but would greatly benefit Anderson Development projects. He suggested that Anderson Development consider financial participation in moving forward with the final applications and hiring the Russ Reid Firm.

Mr. Church requested clarification regarding the matching funds shown on the pre-application forms, and whether the Town would be responsible for the matching funds. Mr. Grampp clarified that state funds are anticipated to pay the matching funds shown on the application forms. Mr. Grampp agreed that the proposed projects would benefit Anderson Development, but felt that completion of the projects would also benefit the Town.

Mr. Church expressed concern regarding decisions which have been made in the past which impact the Town without consent of the Town, such as the design of the Vineyard Connector, which was not on the Town Master Plan. Mayor Farnworth noted that Anderson Development began the process of creating the RDA for the Geneva property with the State Legislature to be overseen by Utah County while bypassing the involvement of the Town until the Town made contact and requested to be involved in the process. Mayor Farnworth also expressed concern regarding the urgency and tight timelines of this and other Anderson Development projects which may have resulted in the Town making decisions before complete information was available to the Council.

Mr. Church reiterated that he felt uncomfortable with Anderson Development informing the Council that they have found a consultant to oversee the application process, and the expectation that the Council will hire the firm based on Anderson Development's recommendation. He explained that the typical process for the Town in hiring a consultant or other service would be to issue a Request for Proposals to compare costs for the service from multiple firms. He felt that if these particular applications were important to Anderson Development, the company should take financial responsibility for the process and donate the funds to the Town to hire the firm. Councilmember Fernandez suggested that cost sharing between Anderson Development and the Town may be a consideration if the pre-applications are approved and the Council feels that it would be in the best interest of the Town to move forward with the applications.

Mayor Farnworth observed that the Council does not have adequate information at this time to make a decision regarding moving forward with the application process or hiring the Russ Reid Firm. He expressed concern regarding RDA expenditures when the first tax increment is received, and having adequate funds to cover costs. The Council discussed use of Administrative Funds available in the RDA which can be used to pay consulting fees. Councilmember Gillespie felt that use of administrative RDA funds for this project would fit the intent of the RDA.

The Council also discussed the possibility of payment arrangements for the consultant which would allow partial payment up front and additional payment if the Town receives approval for the grant or grants. Councilmember Fernandez observed that the Town would be taking on a financial risk in pursuing the application, noting that whether or not the grant is approved, the Town would still be responsible to pay the consulting fees.

Councilmember Fernandez inquired as to matching funds the Town would be required to pay if the grants are awarded. Mr. Grampp explained that no match is required for rural communities, but that the application would be more competitive if a 20% match is included.

Mr. Grampp inquired as to how the Council would feel regarding return of investment for Anderson Development's financial participation if the grants are awarded. The Council felt that an agreement for cost sharing could be considered once information regarding the cost of consulting fees was received, as well as notification as to whether the pre-application process was successful. Mr. Overson noted that it may be reasonable to approach UDOT regarding financial participation due to the fact that a large portion of the grant funds would be used to construct the Vineyard Connector, which is a UDOT project.

The Council discussed administrative funds available in the RDA budget, which could potentially be used to pay the consulting fees. Mayor Farnworth suggested that this issue be discussed further when cost information is available and the Town has been notified that the pre-application process was successful. Further discussion will take place at a future meeting if necessary.

#### **OPEN SESSION** - Citizen's Comments

Mayor Farnworth called for comments from the audience. There was no public comment.

#### **COUNCILMEMBER'S REPORTS** –

Councilmember Gillespie reported that repairs have been completed on the tractor at a cost of approximately \$2,000. He also reported on park improvements including installation of benches, painting of areas on the sidewalk, and planned replacement of dead trees. Councilmember Gillespie requested a discussion item at the next meeting regarding creating a left hand turn lane from Gammon Road to minimize traffic which may be diverted into the residential neighborhood along Holdaway Road.

Councilmember Fernandez reported on thefts which have occurred on the Keith Holdaway property. He inquired as to the possibility of a fence being installed to make access to the site more difficult. The Council felt that installation of a fence may be excessive and may set a precedent. They discussed other options for controlling access, such as a dead end road sign or trenching across the access road. Councilmember Fernandez also noted that recycling costs will be discussed at the next meeting.

#### **MAYOR'S REPORT** –

Mayor Farnworth reported that individuals were recently arrested for theft of copper wire found in infrastructure in The Shores Subdivision.

**EXECUTIVE CLOSED SESSION** – *In compliance with Utah State Code 52-4-204, the Town Council may vote to convene an Executive Closed Session to discuss the purchase, exchange or lease of real property.*

COUNCILMEMBER FERNANDEZ MOVED TO ADJOURN THE REGULAR TOWN COUNCIL MEETING AND CONVENE A CLOSED SESSION AT 8:06 P.M.  
COUNCILMEMBER GILLESPIE SECONDED THE MOTION. ALL PRESENT VOTED IN FAVOR. THE MOTION CARRIED UNANIMOUSLY WITH ONE ABSENT.

COUNCILMEMBER FERNANDEZ MOVED TO ADJOURN THE CLOSED SESSION AND RECONVENE THE REGULAR TOWN COUNCIL MEETING AT 8:27 P.M. ALL PRESENT VOTED IN FAVOR. THE MOTION CARRIED UNANIMOUSLY WITH ONE ABSENT.

**ADJOURNMENT** –

The Regular Town Council Meeting was adjourned at 8:27 p.m. The next Regular Town Council meeting is scheduled for October 26, 2011.

**MINUTES APPROVED ON** \_\_\_\_\_

**CERTIFIED CORRECT BY** \_\_\_\_\_  
**DEBRA CULLIMORE, DEPUTY RECORDER**